

United States District Court  
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

10-mj-476 FLN

DEANDRE LAMONT JONES

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 5/10/2010, in Sherburne and Benton Counties, in the State and District of Minnesota, defendant having previously been convicted in the courts of the State of Minnesota with the following felony offenses: (1) 1998 Second Degree Burglary; (2) 2001 Third Degree Controlled Substance; (3) 2005 Third Degree Assault; and (4) 2006 Simple Robbery, and thereafter did knowingly possess, in and affecting commerce, a firearm, namely a Hi-Point Model C9 9mm pistol,

in violation of Title 18, United States Code, Section(s) 922(g) and 924(e).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

Nov. 10, 2010

The Honorable Franklin L. Noel  
UNITED STATES MAGISTRATE JUDGE

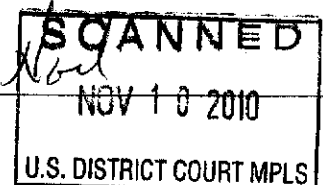
Name &amp; Title of Judicial Officer

Signature of Complainant  
Robert Almgren  
ATF

Minneapolis, MN

City and State

Signature of Judicial Officer



STATE OF MINNESOTA    )  
                              )  
COUNTY OF HENNEPIN    )

ss. AFFIDAVIT OF ROBERT ALMGREN

I, Robert Almgren, being first duly sworn under oath, depose and state as follows:

1. I am a Special Agent (SA) of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, and have been so employed for approximately three years. I am presently a member of Saint Paul Group One of the ATF, and I am specifically assigned to the St. Cloud/Stearns County Region. As a Special Agent of the ATF, my duties and responsibilities include conducting criminal investigations of individuals and entities for possible violations of Federal laws. My current assignment involves the regular investigation of violent criminals, criminal organizations such as street gangs and drug trafficking organizations, and the possession of firearms by prohibited persons. I have used cooperating informants, pen register/trap and trace devices, wiretaps, and video and audio surveillance, among other law enforcement techniques, in the course of my investigations.

2. This affidavit is submitted in support of a Complaint against Deandre Lamont JONES, charging him with possession of a firearm by a convicted felon in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e). The facts set forth in the Affidavit are based on my training, experience, personal knowledge and observations in this investigation; upon my

discussions with other law enforcement officers and agents directly involved in this investigation; and upon my review of official reports submitted in relation to this investigation. Further, this affidavit contains information to support probable cause, but is not intended to, nor does it, convey facts of the entire investigation.

3. On May 10, 2010, at approximately 3:28 a.m., a citizen reported a suspicious vehicle in the area of 14th Avenue S.E. and 11th Street S.E. in St. Cloud, Minnesota. The vehicle bore Minnesota License plates XCV-157.

4. On May 10, 2010, at approximately 4:00 a.m., a shooting was reported at a residence in Southeast St. Cloud, (Sherburne County) located one block north of the suspicious vehicle call. Officers found two bullet holes in the deck and siding of the residence. Three 9mm Winchester brand shell casings were recovered near the residence.

5. On May 10, 2010, at approximately 4:07 a.m., a second shooting occurred at an apartment building in Northeast St. Cloud (Benton County). Shots were fired into a residence occupied by two adult females and several children. A bullet struck one of the females in the hand requiring medical attention. Three spent Winchester brand shell casings, one live round and an ammunition magazine for a 9mm handgun were recovered.

6. While in route to the shooting, Minnesota license plate

XCV-157 was stopped by police several blocks west of the shooting and the lone occupant was identified as Tory Chauvin. Chauvin was arrested for drunk driving. At that time, he denied any involvement in the shooting.

7. Chauvin was subsequently interviewed and admitted that he had been driving around in the early morning hours of May 10, 2010. He reported that he drove JONES to the area of the residence in Southeast St. Cloud mention above in reference to the first shooting. Chauvin explained that JONES exited the vehicle stating in substance that he would be right back. Chauvin heard gunshots and then JONES returned to the vehicle and they left the area. Chauvin then drove JONES to a location near the apartment building in Northeast St. Cloud where the second shooting took place. After JONES exited the vehicle, Chauvin heard gunshots and left the area alone.

8. It was believed that JONES was staying at a trailer in North St. Cloud, Benton County, which is the residence of Sarah Johnson. Johnson subsequently provided a statement to investigating officers. Johnson stated she received a call from JONES on May 10, 2010, at approximately 4:00 a.m. JONES asked her to pick him up, which she did from the Boys and Girls Club located in the area of the shootings. Johnson drove JONES back to her trailer.

9. Later on <sup>May</sup>~~March~~ 10, officers arrested JONES at the trailer

due to an active warrant. (Officers had also been looking for JONES as a person of interest in the shootings.) A search warrant was executed at the trailer and a Hi-Point Model C9 9mm pistol with an obliterated serial number was recovered. The Hi-Point was missing its magazine. Also recovered was a box of ammunition of the same brand and caliber as found at the shootings. There were 29 rounds left from the 50 round box.

10. The Hi-Point 9mm and the shell casings from both of the shootings were sent to the lab operated by the Minnesota Bureau of Criminal Apprehension. Two bullets were test-fired from the Hi-Point and compared to the recovered shell casings. The shell casings from the test-fires matched the shell casings from both shootings. The Hi-Point had an obliterated serial number, but the lab was able to make some restoration revealing serial number "P1519268." DNA testing of the Hi-Point matched the DNA profile obtained from JONES.

11. ATF Special Agent Martin Siebenaler reviewed the description of the Hi-Point Model C9 9mm pistol, recovered during the above-described incident. Based on his training and experience, he determined that the Hi-Point is a firearm and that it was manufactured outside the State of Minnesota. Therefore, at some point after manufacture, it was shipped or transported into Minnesota through interstate commerce.

12. I have reviewed and am familiar with JONES' criminal

history. JONES has the following felony convictions:

Date	Offense	Offense Location
5-5-1998	Second Degree Burglary	Stearns County, MN
11-27-2001	Third Degree Controlled Substance	Stearns County, MN
4-14-2005	Third Degree Assault	Sherburne County, MN
3-21-2006	Simple Robbery	Stearns County, MN

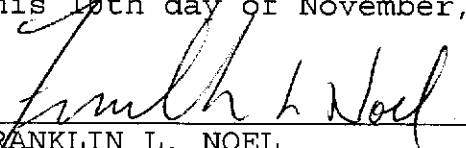
Based on JONES' criminal history, he is prohibited from possessing firearms and/or ammunition.

13. Based upon these facts conveyed in this affidavit, there is probable cause to believe that on May 10, 2010, Deandre Lamont JONES committed the crime of being a felon in possession of a firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Further your Affiant sayeth not.

  
 ROBERT ALMGREN  
 ATF Special Agent

SUBSCRIBED and SWORN to before me  
 this 10th day of November, 2010.

  
 FRANKLIN L. NOEL  
 United States Magistrate Judge